

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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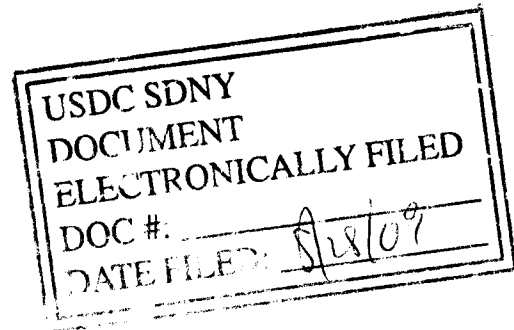
UNITED STATES OF AMERICA : SEALED INDICTMENT

- v. - : S1 09 Cr. 259 (DLC)

CARLOS MEJIA, :
 JOEL RODRIGUEZ, :
 JONATHAN MEJIA, :
 a/k/a "Moises," and :
 PEDRO VENTURA-CRUZ, :
 a/k/a "El Tiburon," :

Defendants. :

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COUNT ONE

The Grand Jury charges:

1. From at least early January 2009, up through and including on or about January 22, 2009, in the Southern District of New York and elsewhere, CARLOS MEJIA, JOEL RODRIGUEZ, JONATHAN MEJIA, a/k/a "Moises," and PEDRO VENTURA-CRUZ, a/k/a "El Tiburon," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CARLOS MEJIA, JOEL RODRIGUEZ, JONATHAN MEJIA, a/k/a "Moises," and PEDRO VENTURA-CRUZ, a/k/a "El Tiburon," the defendants, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

3. The controlled substance involved in the offense was 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of 21 U.S.C. § 841(b)(1)(A).

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about January 12, 2009, in Miami, Florida, JONATHAN MEJIA, a/k/a "Moises," and PEDRO VENTURA-CRUZ, a/k/a "El Tiburon," the defendants, delivered a 2006 black BMW 650I to a car carrier for transport to New York that contained approximately 28 kilograms of cocaine.

b. On or about January 22, 2009, in the vicinity of Close Street in Bronx, New York, CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, retrieved a 2006 black BMW 650I from a car carrier which they believed to contain approximately 28 kilograms of cocaine.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

5. On or about January 22, 2009, in the Southern District of New York and elsewhere, CARLOS MEJIA and JOEL

RODRIGUEZ, the defendants, unlawfully, intentionally, and knowingly attempted to distribute and possess with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

6. The controlled substance involved in the offense was 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of 21 U.S.C. § 841(b)(1)(A).

(Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

7. As a result of committing the controlled substance offense alleged in Counts One and Two of this Indictment, CARLOS MEJIA, JOEL RODRIGUEZ, JONATHAN MEJIA, a/k/a "Moises," and PEDRO VENTURA-CRUZ, a/k/a "El Tiburon," the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment.

Substitute Asset Provision

8. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intention of the United States, pursuant to 21 U.S.C. §

853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841 and 853.)

E. J. H. 8/28/2009
FOREPERSON

Preet Bharara
PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK

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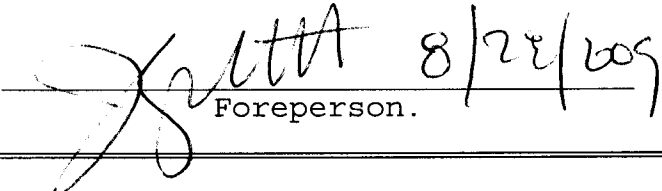
SEALED INDICTMENT

S1 09 Cr. 259 (DLC) _____

(Title 21, United States Code,
Section 846, Title 18, United States Code,
Section 2)

PREET BHARARA
United States Attorney.

A TRUE BILL

 8/22/09

Foreperson.
